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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,456	10/16/2003	David S. Benco	LUC-437/Benco 32-2-26	8735
32205 7590 12/20/2007 PATTI, HEWITT & AREZINA LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			EXAMINER TAYLOR, NICHOLAS R	
			ART UNIT 2141	PAPER NUMBER
			MAIL DATE 12/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,456

Applicant(s)

BENCO ET AL.

Examiner

Nicholas R. Taylor

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11, 12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 12 and 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9, 11, 12, and 14-20 have been presented for examination and are rejected.

Response to Arguments

2. Applicant's arguments filed October 11th, 2007, with respect to the claims have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2, 9, 16, and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites "the user interface" without proper antecedent basis.

Claim 9 recites "the plurality of user interfaces" without proper antecedent basis.

Claim 16 is indefinite as it defines a "user interface" to include "a computer-based application using a predetermined link to the mobile station." However, the parent claim 15 describes the "user interface being the mobile station." Therefore, the user interface, being the mobile station, cannot provide a link to the mobile station and the claim is indefinite. A similar analysis applies to the other language of claim 16 that defines the user interface as "direct input to the mobile station."

Claim 17 is indefinite as it defines the user interface as "a personal computer that is operatively connected to the mobile station." However, parent claim 15 defines the user interface as "being the mobile station." See the analysis of claim 16 above.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-9, 11, 12, and 14-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Knowles (U.S. PGPub 2005/0059393).

7. As per claims 1, 8, and 15, Knowles teaches a method for providing network support for reconfiguration of mobile configuration data for a mobile station, comprising the steps of:

storing mobile configuration data for a mobile station in a mobile subscriber database in the mobile station; (Knowles, paragraphs 11 and 0024-0026; see also the mobile station architecture of fig. 5)

storing the mobile configuration data in a network subscriber database in the network; (Knowles, see provisioning server of figs 1 and 2, and the architecture of paragraphs 0010, 0014, and 0015)

changing, directly via the mobile station, the mobile configuration data in the network subscriber database; and (Knowles, see, e.g., the direct mobile station configuration changes of paragraphs 0010 and 0016)

automatically synchronizing, in response to the changing of the mobile configuration data in the network subscriber database, the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station, such that the changed mobile configuration data is first updated in the network subscriber database and then downloaded to the mobile station where the changes are applied to the mobile configuration data in the mobile subscriber database of the mobile station; (Knowles, paragraphs 0010, 0012, and 0013; see the exemplary automatic synchronization of paragraphs 0014 and-0016)

wherein the mobile configuration data in the network subscriber database is a master copy (Knowles, paragraph 0014 and 0015, where the provisioning server maintains the master copy that is used for updating through synchronization).

8. As per claims 2, 9, and 16, Knowles teaches the system further wherein the plurality of user interfaces comprises: a conversant voice system, a web-based graphical user interface application over the Internet, a computer-based application

using a predetermined link to the mobile station, and direct input to the mobile station (Knowles, see interface techniques of paragraphs 0027-0033).

9. As per claims 3 and 18, Knowles teaches the system further wherein the synchronizing of the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station is performed automatically upon occurrence of the changing of the mobile configuration data in the network subscriber database (Knowles, paragraph 0010-0012, e.g., when a synchronization event is triggered by an update provided by a service provider).

10. As per claims 4, 11, and 19, Knowles teaches the system further wherein the synchronizing of the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station is performed upon sending a sync request from the mobile station to the network (Knowles, see, e.g., paragraphs 0010-0013 where a mobile station sends a synchronization request to update its configuration data).

11. As per claims 5, 12, and 20, Knowles teaches the system further wherein the network has a networked-based feature that provides at least one of periodic uploads of the mobile configuration data from the mobile station to the network and periodic downloads of the mobile configuration data from the network to the mobile station, and wherein the synchronizing of the mobile configuration data in the mobile subscriber

database with the mobile configuration data in the network subscriber database of the mobile station is performed automatically upon occurrence of uploading and/or downloading of the mobile configuration data (Knowles, see, e.g., the synchronization process of paragraphs 0072-0074).

12. As per claim 6, Knowles teaches the system further wherein the mobile configuration data in the network subscriber database is a master copy (Knowles, paragraph 0014 and 0015, where the provisioning server maintains the master copy).

13. As per claims 7 and 14, Knowles teaches the system further wherein the network is the focus of storage of the mobile configuration data and synchronization events with the mobile station (Knowles, paragraphs 0003 and 0014-0017; see also figs. 1-3).

14. As per claim 17, Knowles teaches the system further wherein the user interface is a personal computer that is operatively connected to the mobile station (Knowles, see interface techniques of paragraphs 0027-0033 and architecture of fig. 5 and paragraphs 0024-0026).

Conclusion

15. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT 12-14-07

Nicholas Taylor
Examiner
Art Unit 2141


JASON CARDONE
SUPERVISORY PATENT EXAMINER